



Local Programs Procedures

LPP 95-02

Developing Special Funded Projects - Sales Tax Measure Projects

Reference: Procedures Manual for Special Funded State Highway Projects

Effective Date: January 20, 1995

Approved: _____
Chief, Office of Local Programs

This LPP is to clarify any misunderstanding between Caltrans' Deputy Directive #23 -- Developing Special Funded Projects (DD-23) and Government Code (GC) Section 14529.11, dealing with project development of sales tax measure projects on the State Highway System.

BACKGROUND

DD-23 was developed to replace, modify, and clarify the policy and procedures established in GC 14529.11 which had expired. Since DD-23 was issued, GC 14529.11 has been placed back into law. The two items that need to be clarified between DD-23 and GC 14529.11 are the Initial Project Report (IPR) and the agreements.

IPRs were common reports that were prepared on large Caltrans' projects after a Project Study Report (PSR) had already been prepared in order to clarify and expand on the PSR. Most PSRs for sales tax measure projects were small reports, often no more than two pages in length. PSRs were prepared to determine project costs and scope in order to list projects in sales tax measure expenditure plans that went before the voters. Some of these PSRs were prepared in a rather short period of time in order to meet deadlines for preparation of sales tax measure expenditure plans. The IPRs were used to refine and tie down the project costs and scope from the PSRs after the voters had approved a sales tax increase.

New policy and procedures have expanded the size and scope of PSRs, which now contain as much or more information than formerly contained in the IPRs. Therefore, IPRs are no longer needed.

IPRs -- NEW PROCEDURE

For sales tax measure projects with over \$1 million in construction costs in the existing or future State highway right of way, the PSRs prepared for sales tax measure projects meet the requirement in GC 14529.11 for the preparation of IPRs.

For sales tax measure projects with construction costs \$1 million or less in the existing or future State highway right of way (defined as encroachment permit projects in DD-23), the Permit Engineering Evaluation Report (PEER) or a combined PSR/PR (if the district determines the project is too complex to be adequately described in a PEER) meets the requirement in GC 14529.11 for the preparation of an IPR. Since these are small projects, the information contained in the PEER or the combined PSR/PR is comparable to that previously contained in the IPRs. The format is different due to the size of the project.

AGREEMENTS -- NEW PROCEDURE

GC 14529.11 includes a requirement that Caltrans and the sales tax measure authority enter into an agreement to formalize project development requirements. As master agreements outlining roles and responsibilities are already in effect between the State and all current sales tax measure authorities, this requirement has been met for existing measures.

Future master cooperative agreements between the State and new sales tax authorities covering project development responsibilities, conforming to the requirements set forth in GC 14529.11, should include language to the effect that sales tax funded projects as described in DD-23 costing over \$1 million will need to follow the PSR or equivalent process. Projects \$1 million or less will use the encroachment permit process.

As outlined in DD-23, however, cooperative agreements are still required for all sales tax measure projects costing over \$1 million for work within the existing or future State highway right of way. Sales tax measure funded projects costing \$1 million or less shall be considered encroachment permit projects and will generally not require a cooperative agreement.

However, these projects may require an agreement of some type. Refer to the Cooperative Agreement Manual and DD-23 on the need for cooperative and other agreements.